

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SCHOETTLER RESEARCH AND
ENGINEERING CORPORATION,

Plaintiff,

vs.

EDMAR CORPORATION AND
ORECK HOLDINGS, LLC,

Defendants.

Civil Action
No. 1:09-CV-11386 WGY (RBC)

Hon. William G. Young

**STIPULATED PERMANENT INJUNCTION
AND JUDGMENT; AND ~~[PROPOSED]~~ ORDER**

Plaintiff Schoettler Research & Engineering Corporation and Defendant Edmar Corporation hereby submit a Stipulated Permanent Injunction and Judgment; and [Proposed] Order.

Respectfully submitted,

DATED: July 19, 2010

By /s/Edward R. Schwartz
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DATED: July 16, 2010

By /s/Gerard F. Dunne
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Attorneys for Defendants,
Edmar Corporation and Oreck Holdings, LLC

Plaintiff Schoettler Research & Engineering Corporation ("Schoettler") having commenced this action for an injunction and other relief against Defendants Oreck Holdings, LLC and Edmar Corporation (collectively "Defendants") for infringement of a registered trademark and false designation of origin and false advertising under the Lanham Act, 15 U.S.C. § 1051, et seq., and for unfair competition and false and deceptive trade practices under the laws of the Commonwealth of Massachusetts and

Defendants having entered into a Settlement Agreement with Schoettler and having stipulated to dismissal of Oreck Holdings, LLC with prejudice and to entry of this Permanent Injunction and Judgment as to Edmar Corporation only,

IT IS HEREBY ORDERED that Edmar, its agents, employees and representatives, and all persons acting in concert or in privity with any of them, are permanently enjoined from: (a) using the trademark PATRIOT alone or in connection with the sale, distribution or advertising of vacuum cleaners, as well as products and services which are complementary thereto, including but not limited to, use of said trademark as an Internet keyword or metatag.

IT IS FURTHER ORDERED that Schoettler's claims for relief in addition to the foregoing injunction are dismissed with prejudice and that each party will be responsible for its own costs including attorney's fees.

The Court shall retain jurisdiction over enforcement of the Settlement Agreement in this action.

IT IS SO ORDERED.

DATED: July 20, 2010

William G. Young
Hon. William G. Young
United States District Court Judge